



Attorney General  
Betty D. Montgomery

0000006

August 26, 1996

Mary M. Biagioli  
Pickrel Schaeffer and Ebeling  
2700 Kettering Tower  
Dayton, Ohio 45423

RECEIVED  
OHIO EPA

AUG 27 1996

EPA Region 5 Records Ctr.



253906

DIV. OF HAZARDOUS WASTE MGT

RE: State of Ohio v. Dayton Electroplate, Inc., et al., Case No. 94-0518

Dear Ms. Biagioli:

The purpose of this letter is to notify you that your clients, Dayton Electroplate and Charles Borum, are in violation of the May 4, 1996 Consent Order and the February 29, 1996 Contempt Order. The State would like to notify you that your clients are also in violation of Chapter 3752 of the Ohio Revised Code. The State is aware that Dayton Electroplate is presently engaged in a Chapter 7 Bankruptcy, therefore the State will pursue Dayton Electroplate in the bankruptcy proceeding as the law allows. Your client Charles Borum is personally liable under both Court Orders and is not a party in the Dayton Electroplate Chapter 7 proceedings.

Please contact me as soon as possible to inform the State of Mr. Borum's intentions regarding compliance with the outstanding Court Orders and Chapter 3752. If I do not hear from you on or before September 3, 1996, I will presume that neither you nor your Mr. Borum wish to cooperate and the State will take further proceedings accordingly.

Sincerely,

Lori A. Massey  
Assistant Attorney General  
30 East Broad Street, 25th Floor  
Columbus, Ohio 43215

LAM/kpk

cc: Elisabeth Rothschild, OEPA/DHWM/SWDO  
John Schierberl, OEPA/DHWM/CO  
Bryan Zima, AAG/EES/Program Area Supervisor

State Office Tower / 30 East Broad Street / Columbus, Ohio 43215-3428

An Equal Opportunity Employer